

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

REQUIRED DOCUMENTS AND FEES

Forms are available at the Clerk's Office or online at www.caeb.uscourts.gov

MINIMUM DOCUMENTS REQUIRED FOR INCOMPLETE ("SKELETON") FILING ARE IN BOLD PRINT

<u>CHAPTER 7 - \$335</u> (\$245 Filing Fee + \$75 Administrative Fee + \$15 Trustee Fee)	<u>COPIES</u>	<u>DEADLINE</u>
Voluntary Petition (Official Form 1)	Original + 1	Time of filing
Schedules of Assets and Liabilities (Official Form 6)	Original + 1	Within 14 days
Schedule of Executory Contracts and Unexpired Leases (Schedule G, Official Form 6)	Original + 1	Within 14 days
Schedules of Current Income and Expenditures	Original + 1	Within 14 days
Statement of Financial Affairs (Official Form 7)	Original + 1	Within 14 days
Master Address List (<i>DO NOT attach to petition</i>)		
If submitted on hard copy (printed on paper)	Original + 1	Time of filing
Verification of Master Address List Form (Form EDC 2-100) (<i>DO NOT attach to petition</i>)	Original + 1	Time of filing
<i>IF APPLICABLE:</i>		
Exhibit D to Official Form 1, Individual Debtor's Statement of Compliance with Credit Counseling Requirement	Original + 1	Time of filing
Certification of Notice to Consumer Debtor(s) under §342(b) of the Bankruptcy Code (Form B201B)	Original + 1	Within 14 days
Statement of Intention (Official Form 8)	Original + 1	Within 30 days
Chapter 7 Statement of Current Monthly Income (Official Form 22A-1 [and 22A-1Supp and 22A-2, if required])	Original + 1	Within 14 days
Statement Disclosing Compensation Paid to Debtor's Attorney (Form B203)	Original + 1	Within 14 days
Statement Disclosing Compensation Paid to Bankruptcy Petition Preparer (Form B280)	Original + 1	Time of filing
Notice to Debtor By Non-Attorney Bankruptcy Petition Preparer (Official Form 19B)	Original + 1	Time of filing
Statement of Social Security Number(s) (Official Form 21) (<i>DO NOT attach to petition</i>)	Original + 1	Time of filing
Corporate Resolution	Original + 1	Within 14 days
Statement Regarding Ownership of Corporate Debtor (Form EDC 3-500)	Original + 1	Within 14 days
<u>CHAPTER 11 - \$1,717</u> (\$1,167 Filing Fee + \$550 Administrative Fee)	<u>COPIES</u>	<u>DEADLINE</u>
Voluntary Petition (Official Form 1)	Original + 1	Time of filing
Schedules of Assets and Liabilities (Official Form 6)	Original + 1	Within 14 days
Schedule of Executory Contracts and Unexpired Leases (Schedule G, Official Form 6)	Original + 1	Within 14 days
Schedules of Current Income and Expenditures	Original + 1	Within 14 days
Statement of Financial Affairs (Official Form 7)	Original + 1	Within 14 days
List of 20 Largest Unsecured Creditors (Official Form 4)	Original + 1	Time of filing
Master Address List (<i>DO NOT attach to petition</i>)		
If submitted on hard copy (printed on paper)	Original + 1	Time of filing
Verification of Master Address List Form (Form EDC 2-100) (<i>DO NOT attach to petition</i>)	Original + 1	Time of filing
<i>IF APPLICABLE:</i>		
Exhibit D to Official Form 1, Individual Debtor's Statement of Compliance with Credit Counseling Requirement	Original + 1	Time of filing
Certification of Notice to Consumer Debtor(s) under §342(b) of the Bankruptcy Code (Form B201B)	Original + 1	Within 14 days
Exhibit A to Voluntary Petition (<i>Only if debtor is a corporation required to file reports w/ SEC</i>)	Original + 1	Time of filing
Names and Addresses of Equity Security Holders (<i>Only if debtor is a corporation or partnership</i>)	Original + 1	Within 14 days
Statement of Current Monthly Income (Official Form 22B)	Original + 1	Within 14 days
Statement Disclosing Compensation Paid to Debtor's Attorney (Form B203)	Original + 1	Within 14 days
Statement Disclosing Compensation Paid to Bankruptcy Petition Preparer (Form B280)	Original + 1	Time of filing
Notice to Debtor By Non-Attorney Bankruptcy Petition Preparer (Official Form 19B)	Original + 1	Time of filing
Statement of Social Security Number(s) (Official Form 21) (<i>DO NOT attach to petition</i>)	Original + 1	Time of filing
Corporate Resolution	Original + 1	Within 14 days
Statement Regarding Ownership of Corporate Debtor (Form EDC 3-500)	Original + 1	Within 14 days
Chapter 11 Small Business Financial Documents (balance sheet, statement of operations, cash-flow statement, and federal tax return OR statement of unavailability of documents) (<i>"Small business cases" ONLY</i>)	Original + 1	Time of filing

MINIMUM DOCUMENTS REQUIRED FOR INCOMPLETE ("SKELETON") FILING ARE IN BOLD PRINT

CHAPTER 12 - \$275 (\$200 Filing Fee + \$75 Administrative Fee)

	<u>COPIES</u>	<u>DEADLINE</u>
Voluntary Petition (Official Form 1)	Original + 1	Time of filing
Schedules of Assets and Liabilities (Official Form 6)	Original + 1	Within 14 days
Schedule of Executory Contracts and Unexpired Leases (Schedule G, Official Form 6)	Original + 1	Within 14 days
Schedules of Current Income and Expenditures	Original + 1	Within 14 days
Statement of Financial Affairs (Official Form 7)	Original + 1	Within 14 days
Master Address List (<i>DO NOT attach to petition</i>)		
If submitted on hard copy (printed on paper)	Original + 1	Time of filing
Verification of Master Address List Form (Form EDC 2-100) (<i>DO NOT attach to petition</i>)	Original + 1	Time of filing

IF APPLICABLE:

Exhibit D to Official Form 1, Individual Debtor's Statement of Compliance with Credit Counseling Requirement	Original + 1	Time of filing
Statement Disclosing Compensation Paid to Debtor's Attorney (Form B203)	Original + 1	Within 14 days
Statement Disclosing Compensation Paid to Bankruptcy Petition Preparer (Form B280)	Original + 1	Time of filing
Notice to Debtor By Non-Attorney Bankruptcy Petition Preparer (Official Form 19B)	Original + 1	Time of filing
Statement of Social Security Number(s) (Official Form 21) (<i>DO NOT attach to petition</i>)	Original + 1	Time of filing
Debtor's Plan (<i>DO NOT attach to petition</i>)	Original + 1	Within 90 days
Corporate Resolution	Original + 1	Within 14 days
Statement Regarding Ownership of Corporate Debtor (Form EDC 3-500)	Original + 1	Within 14 days

CHAPTER 13 - \$310 (\$235 Filing Fee + \$75 Administrative Fee)

	<u>COPIES</u>	<u>DEADLINE</u>
Voluntary Petition (Official Form 1)	Original + 1	Time of filing
Schedules of Assets and Liabilities (Official Form 6)	Original + 1	Within 14 days
Schedule of Executory Contracts and Unexpired Leases (Schedule G, Official Form 6)	Original + 1	Within 14 days
Schedules of Current Income and Expenditures	Original + 1	Within 14 days
Statement of Financial Affairs (Official Form 7)	Original + 1	Within 14 days
Master Address List (<i>DO NOT attach to petition</i>)		
If submitted on hard copy (printed on paper)	Original + 1	Time of filing
Verification of Master Address List Form (Form EDC 2-100) (<i>DO NOT attach to petition</i>)	Original + 1	Time of filing

IF APPLICABLE:

Exhibit D to Official Form 1, Individual Debtor's Statement of Compliance with Credit Counseling Requirement	Original + 1	Time of filing
Certification of Notice to Consumer Debtor(s) under §342(b) of the Bankruptcy Code (Form B201B)	Original + 1	Within 14 days
Chapter 13 Statement of Current Monthly Income (Official Form 22C-1 [and 22C-2, if required])	Original + 1	Within 14 days
Statement Disclosing Compensation Paid to Debtor's Attorney (Form B203)	Original + 1	Within 14 days
Statement Disclosing Compensation Paid to Bankruptcy Petition Preparer (Form B280)	Original + 1	Time of filing
Notice to Debtor By Non-Attorney Bankruptcy Petition Preparer (Official Form 19B)	Original + 1	Time of filing
Statement of Social Security Number(s) (Official Form 21) (<i>DO NOT attach to petition</i>)	Original + 1	Time of filing
Debtor's Plan (Form EDC 3-080) (<i>DO NOT attach to petition</i>)	Original + 1	Within 14 days

REQUIRED DOCUMENTS AND FEES

General Requirements of Form

All documents shall be on 8-1/2" x 11" size white paper. Originals of documents shall not be stapled or hole punched. Use clips to fasten original documents. Use staples to fasten copies of documents. Document copies may be hole punched. Document text shall be typewritten or presented by some other legible process on one side of each sheet only. The name, address, telephone number and California State Bar membership number of the attorney representing the debtor should appear in the petition.

Assembly of Documents

Original petitions, exhibits, schedules, statements and lists, as well as the copy, should be assembled in the order indicated on the reverse side. DO NOT attach the Master Address List, Verification of Master Address List Form, Statement of Social Security Number(s), Chapter 12 Debtor's Plan, or Chapter 13 Debtor's Plan to the petition.

Copies

The required copy of each document will be stamped and returned to the filing party as proof of filing. The copy will be returned by mail only when a self-addressed, stamped envelope of sufficient size is provided.

Filing Fee

Fees for filing bankruptcy cases are prescribed by 28 U.S.C. §1930(a). Individual debtors may apply for permission to pay fees in installments by submitting a signed application with the petition. FRBP 1006(b)(1). Individual chapter 7 debtors who can not pay fees in installments may apply for a waiver of fees. FRBP 1006(c).

Administrative Fee

Pursuant to item 8 of the Bankruptcy Court Miscellaneous Fee Schedule, in all cases filed under the Bankruptcy Code, the Clerk shall collect from the debtor or petitioner a miscellaneous administrative fee. Individual debtors may apply to pay this fee in installments in the manner set forth in FRBP 1006(b) or request a waiver of this fee under FRBP 1006(c).

Trustee Fee

Pursuant to item 9 of the Bankruptcy Court Miscellaneous Fee Schedule, upon the filing of a petition under chapter 7 of the Bankruptcy Code, the petitioner shall pay \$15 to the Clerk for payment to the trustee serving in the case. Individual debtors may apply to pay this fee in installments in the manner set forth in FRBP 1006(b) or request a waiver of this fee under FRBP 1006(c).

Fee Payments

Filing fees, miscellaneous administrative fees and chapter 7 trustee fees must be paid with cash (exact change only), money order, cashier's check, or an attorney's check. All money orders and checks shall be made payable to: Clerk, U.S. Bankruptcy Court.

Voluntary Petition (Official Form 1)

Official Form 1, the Voluntary Petition, is to be used to

commence voluntary cases under chapters 7, 11, 12, and 13 of the Bankruptcy Code.

Schedules of Assets and Liabilities, Schedule of Executory Contracts and Unexpired Leases, and Schedules of Current Income and Expenditures (Official Form 6)

Schedules of assets and liabilities, executory contracts and unexpired leases, current income, and current expenditures, prepared as prescribed by Official Form 6, must be submitted with the petition or within 14 days. FRBP 1007(b)(1) & (c). For executory contracts and unexpired leases, use Schedule G of Official Form 6. Schedules of current income and expenditures must be filed by all debtors. If the debtor is an individual, use schedules I and J of Official Form 6. Creditors shall be listed on the appropriate schedule in alphabetical order by name and complete address. LBR 1007-1(a).

Statement of Financial Affairs (Official Form 7)

A Statement of Financial Affairs must be prepared as prescribed by Official Form 7, and submitted with the petition or within 14 days. FRBP 1007(b)(1) & (c).

Master Address List

A Master Address List includes the names, addresses and zip codes of all creditors in a bankruptcy case. This list is used for noticing and must be filed at the time the petition is filed. The Master Address List must be prepared in strict compliance with instructions of the Clerk in a format approved by the Court. Local Bankruptcy Rule 1007-1(b).

Instructions concerning the preparation of Master Address Lists are set forth in form EDC 2-190, *Revised Guidelines for Preparation of Master Address Lists*. Debtors not represented by an attorney, or whose petitions are prepared by a Bankruptcy Petition Preparer, must prepare the Master Address List for filing in printed form. The court offers an online application that will assist with preparing a Master Address List for paper submission. This is available at the Clerk's Office or online at www.caeb.uscourts.gov/mal/. Attorneys must prepare an electronic version of the Master Address List for direct submission through the court's electronic filing system. More information on how to submit a Master Address List electronically is available at the Clerk's Office or online at www.caeb.uscourts.gov.

Verification of Master Address List (Form EDC 2-100)

The debtor must concurrently submit a Verification of Master Address List, form EDC 2-100, with every Master Address List presented for filing.

Individual Debtor's Statement of Compliance with Credit Counseling Requirement (Exhibit D to Official Form 1)

Every individual debtor must file a statement of compliance with the credit counseling requirement, prepared as prescribed by Exhibit D to Official Form 1, attached to their petition. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D. A certificate of credit counseling and debt repayment plan or other additional required documents shall be attached to Exhibit D, as directed.

Certification of Notice to Consumer Debtor(s) under §342(b) of the Bankruptcy Code (Form B201B)

Individual debtors with primarily consumer debts shall file a certificate with the petition, or within 14 days, that the notice required by §342(b) of the bankruptcy code was delivered to them by the attorney or bankruptcy petition preparer signing the petition, or, if no attorney or bankruptcy petition preparer is indicated, that the debtor received and read the notice. 11 U.S.C. §§342(b), 521(a)(1)(B)(iii), and 707(a)(3). Form B201A, *Notice to Consumer Debtor(s) under §342(b) of the Bankruptcy Code*, is used to give the §342(b) notice. Form 201B is needed only if the required certification is not made on Official Form 1, the Voluntary Petition. (A certification by the debtor's attorney is included in Exhibit B on page 2 of Official Form 1 and certifications by the debtor and bankruptcy petition preparer are part of the Declarations on page 3.) Although there is no specific requirement that Form B201A be filed, it should be attached to Form B201B if a separate certification is needed.

Statement of Current Monthly Income (Official Forms B22A, B22B, and B22C)

A statement of current monthly income, prepared as prescribed by the appropriate Official Form, shall be filed with the petition or within 14 days, by individual chapter 7 debtors with primarily consumer debts (Official Form (s) 22A-1 [and 22A-1 Supp and 22A-2, if required]), individual chapter 11 debtors (Official Form 22B), and chapter 13 debtors (Official Form 22C-1 [and 22C-2, if required].)

Statement Disclosing Compensation Paid or to be Paid to the Debtor's Attorney (Form B203)

A statement disclosing the compensation paid or to be paid to the debtor's attorney must be submitted within 14 days of the filing of a voluntary petition. 11 U.S.C. §329 and FRBP 2016(b).

Statement Disclosing Compensation Paid or to be Paid to Bankruptcy Petition Preparer (Form B280)

Within 10 days after the date of the filing of a petition prepared by a bankruptcy petition preparer, the bankruptcy petition preparer shall file a declaration under penalty of perjury disclosing any fee received from or on behalf of the debtor within 12 months immediately prior to the filing of the case, and any unpaid fee charged to the debtor. 11 U.S.C. §110(h)(1).

A bankruptcy petition preparer is defined as a person other than an attorney or an employee of an attorney, who prepares for compensation a document for filing. 11 U.S.C. §110(a)(1).

Notice to Debtor By Non-Attorney Bankruptcy Petition Preparer (Official Form 19B)

Official Form 19B, Notice to Debtor by Bankruptcy Petition Preparer, must be filed with the petition if prepared by a bankruptcy petition preparer. 11 U.S.C. §110(b)(2)(B).

Statement of Intention (Official Form 8)

A Statement of Intention is required only if the debtor is an individual and the schedules of assets and liabilities contain

consumer debts secured by property of the estate. It must be prepared as prescribed by Official Form 8, and submitted within 30 days of the filing of a petition under chapter 7, or by the date set for the meeting of creditors, whichever is earlier. 11 U.S.C. §521(2) and FRBP 1007(b)(2).

List of Equity Security Holders

A List of Equity Security Holders must be submitted with the Chapter 11 petition or within 14 days. FRBP 1007(a)(3).

Statement of Social Security Number(s) (Official Form B21)

Individual debtors must submit with the petition a statement under penalty of perjury setting out the debtor's full social security number or stating that the debtor does not have a social security number. FRBP 1007(f). The statement shall be prepared in substantial compliance with Official Form 21.

List of 20 Largest Unsecured Creditors (Official Form 4)

A list containing the names, addresses and claim amounts of the debtor's 20 largest unsecured creditors, excluding insiders, must be filed with the petition and prepared as prescribed by Official Form 4. FRBP 1007(d).

Chapter 12 Debtor's Plan

A Chapter 12 Debtor's Plan must be submitted with the petition or within 90 days. 11 U.S.C. §1221 and FRBP 3015(a).

Chapter 13 Debtor's Plan (Form EDC 3-080)

A Chapter 13 Debtor's Plan must be submitted with the petition or within 14 days. FRBP 3015(b). All Chapter 13 debtors shall use the standard form Chapter 13 Plan (EDC Form 3-080) prescribed by Local Bankruptcy Rule 3015-1(a).

Employee Income Records

Pursuant to Local Bankruptcy Rule 1007-1(c), copies of employer payment advices and other evidence of payments received by an individual debtor from any employer within 60 days before the filing of the petition shall not be filed with the court. Instead, they shall be provided by the debtor to the appropriate case trustee not later than seven (7) days before the date first set for the meeting of creditors.

Corporate Resolution

For corporate debtors, a corporate resolution authorizing the filing of bankruptcy must accompany the petition.

Statement Regarding Ownership of Corporate Debtor (Form EDC 3-500)

Federal Rule of Bankruptcy Procedure 1007(a)(1) requires corporate debtors to file with the petition a corporate ownership statement containing the information described in Rule 7007.1.

Chapter 11 Small Business Financial Documents

In chapter 11 "small business cases," the most recent balance sheet, statement of operations, cash-flow statement, and federal tax return, OR a statement under penalty of perjury that no balance sheet, statement of operations, or cash-flow statement was prepared, and no federal tax return was filed, must be appended to the petition. 11 U.S.C. §1116(1). For the definitions of "small business case" and "small business debtor," see 11 U.S.C. §101(51C) and (51D).